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Attorneys for Defendants LIBERTY UNION  
HIGH SCHOOL DISTRICT, et al.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SARAH UNVERFERTH and P.C., a minor,  
by and through his guardian ad litem SARAH  
UNVERFERTH,

Plaintiffs,

v.

LIBERTY UNION HIGH SCHOOL  
DISTRICT, ERIC VOLTA, JOHN SAYLOR,  
PATRICK WALSH, JENNIFER KOETT,  
ILENE FOSTER, and SANDRA  
GUARDADO, and DOES 1-30,

Defendants.

Case No. 3:15-cv-01721-EMC

**STIPULATION AND [~~PROPOSED~~]  
ORDER TO (1) EXTEND TIME TO  
COMPLETE MEDIATION AND (2)  
CONTINUE FURTHER STATUS  
CONFERENCE**

Judge: Hon. Edward M. Chen

**STIPULATION**

Plaintiffs SARAH UNVERFERTH and P.C., a minor, by and through his guardian ad litem Sarah Unverferth (collectively "Plaintiffs") and Defendants LIBERTY UNION HIGH SCHOOL DISTRICT, ERIC VOLTA, JOHN SAYLOR, PATRICK WALSH, JENNIFER KOETT, ILENE FOSTER, and SANDRA GUARDADO (collectively "Defendants"), by and through their counsel, hereby stipulate as follows:

WHEREAS, the Court, following the November 9, 2015 Case Management Conference, issued Civil Minutes [Doc. 59] and a Case Management and Pretrial Order [Doc. 60], (1) referring this matter to ADR for mediation, (2) ordering that such mediation be completed within 120 days – *i.e.*, by **March 8, 2016**, (3) allowing the Parties to conduct limited discovery to facilitate said mediation, and

1 (4) setting the matter for a post-mediation Further Status Conference on April 14, 2016.

2 WHEREAS, the crux of Plaintiff P.C.'s damages claim in this action is founded upon the  
3 contention that he has suffered physical injuries as well as significant psychological and emotional  
4 harm as a result of Defendants' conduct;

5 WHEREAS, with respect to Plaintiff P.C.'s damages claim, Defendants, who also contest all  
6 other aspects of Plaintiffs' claims, including liability and causation, contend, among other things, that  
7 Plaintiff P.C. did not suffer the alleged injuries for which he now seeks recovery, and/or that such  
8 alleged injuries/conditions were pre-existing and/or were otherwise not caused by any unlawful,  
9 wrongful, negligent, or other conduct by Defendants sufficient to give rise to a finding of liability  
10 against, or warrant recovery from, Defendants for such injuries.

11 WHEREAS, the Parties, in a good faith effort to facilitate discovery and prepare for mediation,  
12 have already met and conferred regarding, and agreed upon, the scope of Defendants' discovery  
13 relating to Plaintiff P.C.'s mental health history and records, along with the form and language of the  
14 HIPAA release form to be used in connection with the subpoena of such records; and Defendants have  
15 requested and Plaintiffs have agreed to provide information concerning the several mental health  
16 providers/facilities that provided Plaintiff P.C. with services, prior and subsequent to the subject  
17 incident, so as to allow Defendants to obtain Plaintiff P.C.'s mental health records from such  
18 providers;

19 WHEREAS, Defendants have not yet been able to obtain Plaintiff P.C.'s mental health  
20 records, as Plaintiff P.C.'s guardian ad litem, Sarah Unverferth, despite her ongoing diligence and  
21 good faith efforts, is still in the process of gathering, but has not yet been able to provide Defendants,  
22 the information necessary to obtain such records;

23 WHEREAS, the Parties agree that Plaintiff P.C.'s mental health records are essential to the  
24 parties and mediator's ability to evaluate Plaintiffs' claims, particularly concerning the issues of  
25 causation and damages;

26 WHEREAS, the Parties also believe and agree that, due to the unanticipated delay in  
27 discovery, which occurred despite the Parties' reasonable efforts otherwise, there exists good cause to  
28 continue the March 8, 2016 mediation deadline, so as to allow the Parties sufficient time to obtain the

1 information necessary to engage in a meaningful and productive mediation;

2 IT IS HEREBY STIPULATED, by and among the Parties to this action, that, based on the  
3 foregoing, and in consideration of counsels' existing trial calendar, the Parties' March 8, 2016  
4 deadline to complete **MEDIATION** shall be continued to **June 22, 2016**, and the April 14, 2016  
5 **FURTHER STATUS CONFERENCE** shall be continued **July 18, 2016**.

6 ***IT IS SO STIPULATED.***  
7

8 Dated: January 21, 2016

McCORMICK, BARSTOW, SHEPPARD,  
WAYTE & CARRUTH LLP

11 By: /s/ STEPHANIE Y. WU

12 Stephanie Y. Wu  
13 Attorneys for Defendants LIBERTY UNION HIGH  
14 SCHOOL DISTRICT, ERIC VOLTA, JOHN  
15 SAYLOR, PATRICK WALSH, JENNIFER  
16 KOETT, ILENE FOSTER, and SANDRA  
17 GUARDADO

16 Dated: January 21, 2016

LAW OFFICES OF TODD BOLEY

18 By: /s/ JUSTIN P. YOUNG

19 Justin P. Young  
20 Attorneys for Plaintiffs SARAH UNVERFERTH  
21 and P.C., a minor, by and through his guardian ad  
22 litem SARAH UNVERFERTH

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~~[PROPOSED]~~

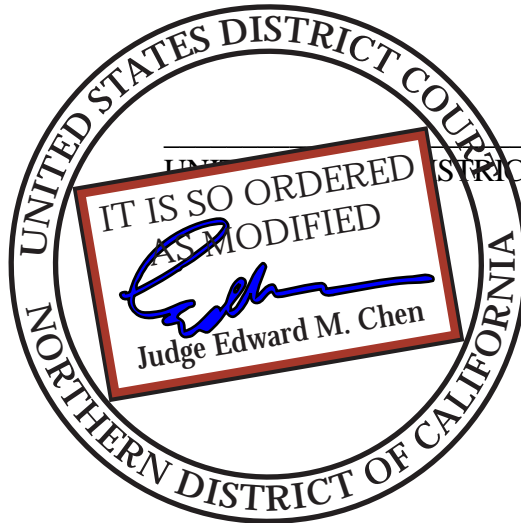
**ORDER**

Pursuant to the foregoing Stipulation of the Parties, it is hereby ordered that:

1. The Parties' March 8, 2016 deadline to complete **Mediation** is continued to **June 22, 2016**, and
2. The April 14, 2016 **Further Status Conference** is continued to **July 18, 2016**.

***IT IS SO ORDERED.***

Dated: January <sup>27</sup> \_\_\_, 2016



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DISTRICT COURT JUDGE